

**RFP-07-06-CC**  
**NOTICE TO INTERESTED PARTIES**  
**IMPORTANT PLEASE READ BEFORE DOWNLOADING**

This solicitation is provided to you for information purposes, if interested in responding to this solicitation please follow the directions below.

**THERE ARE THREE WAYS TO RECEIVE A COPY OF THIS SOLICITATION:**

**1. Request a copy of this Solicitation to be emailed:**

Phone No: (808) 587-0098

Facsimile No: (808) 587-0115

E-Mail Address: [Petra.MacGowan@hawaii.gov](mailto:Petra.MacGowan@hawaii.gov)

Please provide the following information:

- Name of Company
- Name of Contact Person
- Telephone Number
- Email Address

**2. Pick up a copy of the solicitation at:**

DAR

1151 Punchbowl Street, Room 330

Honolulu, HI 96813

**3. Download this solicitation from the following pages:**

<http://www.hawaii.gov/dlnr/> or <http://www4.hawaii.gov/bidapps/>

**SEALED PROPOSALS WILL BE RECEIVED TO AND OPENED AT 4:00 P.M. (HST)**  
**ON TUESDAY JULY 31, 2007**  
**at the Division of Aquatic Resources Offices,**  
**1151 Punchbowl St, 3<sup>rd</sup> Floor, Room 330, Honolulu Hawaii, 96813**

Questions relating to this bid solicitation may be directed to **Ms. Petra MacGowan**, phone (808) 587-0098 or  
email [Petra.MacGowan@hawaii.gov](mailto:Petra.MacGowan@hawaii.gov)

**REQUEST FOR PROPOSALS**  
The Department of Land and Natural Resources  
**Division of Aquatic Resources**

**Solicitation No. RFP-07-06-CC**

**DEVELOPMENT OF A RECREATIONAL CAPACITY ASSESMENT TOOL**

Pursuant to the Hawaii Public Procurement Code, Chapter 103D, Hawaii Revised Statutes, the State of Hawaii Department of Land and Natural Resources (DLNR) Division of Aquatic Resources (DAR), Recreation Impacts Local Action Strategy is soliciting proposals to develop a recreational capacity assessment tool.

**Project Description:**

The Recreation Impacts Local Action Strategy is soliciting proposals for the development and implementation of a integrated and multidisciplinary recreational capacity assessment tool, to evaluate the human use and capacity of marine areas that considers the physical, biological, ecological, infrastructural, social and cultural attributes of recreational use and other site stressors. Service will continue for two years from the execution of the Contract. Compensation for services provided shall not exceed \$74,000 for the first year of funding and \$60,000 for the second consecutive year.

**Requirements:**

All written questions must be submitted to the Division of Aquatic Resources Offices by 4 p.m. Hawaiian Standard Time (HST) by Wednesday, July, 11<sup>th</sup>, 2007.

Sealed proposals shall be received up to 4:00 p.m. HST on **Tuesday July 31, 2007** in the **Division of Aquatic Resources Office, 1151 Punchbowl St., 3<sup>rd</sup> Floor, Room 330, Honolulu Hawaii, 96813. Please put proposals to the attention of Petra MacGowan.** Proposal documents may be obtained from the same office between the hours of 8:30 a.m. to 11:30 a.m. and 1:30 p.m. to 4:00 p.m., Monday through Friday, except for STATE holidays. Offers are encouraged to carefully read the entire proposal documents. **All proposals must comply with General Conditions developed by the Attorney General's Office (Form AG-008 Rev. 11/3/2006) included by reference and available by request.**

All proposals must comply with the Hawaii Administrative Rules (HAR) Section 3-122-112 (Exhibit D). Offers shall, upon award of the contract, furnish proof of compliance with the requirements of § 103D-310(c), HRS:

1. Chapter 237, tax clearance;
2. Chapter 383, unemployment insurance;
3. Chapter 386, workers' compensation;
4. Chapter 392, temporary disability insurance;
5. Chapter 393, prepaid health care; and
6. One of the following:
  - a) Be registered and incorporated or organized under the laws of the State, hereinafter referred to as a "Hawaii business"; or
  - b) Be registered to do business in the Sate, hereinafter referred to as a "compliant non-Hawaii business".

## **I. INTRODUCTION**

Non-consumptive recreational overuse is considered a priority threat to Hawaii's coral reef ecosystem (DLNR 2005). Recreational overuse is one of six priority threats highlighted by the U.S. Coral Reef Task Force, along with fisheries, lack of public awareness, aquatic invasive species, climate change and marine disease and land based pollution. Recreational activities have both the potential to directly and indirectly impact reef ecosystem health through breakage from physical contact, alterations in marine life behaviour, and degradation of surrounding water quality. As the marine tourism industry has continued to grow at nearly exponential rates, coral reefs in many of Hawaii's waters have become increasingly threatened by a growing diversity of non-consumptive ocean recreational activities (Friedlander et al., 2005).

The development of an integrated and multidisciplinary recreational carrying capacity assessment tool will help marine managers to standardized management decisions in the Main Hawaiian Islands.

## **II. SIGNIFICANT DATES**

Advertisement and Issuance of Request for Proposal  
Proposals Due

**June 20, 2007**  
**July 31, 2007**

## **III. OFFICAL CONTACT PERSON**

The official contact person for all communication regarding this RFP is:

Ms. Athline Clark, Special Projects Manager  
DLNR, Division of Aquatic Resources  
1151 Punchbowl St, Room 330  
Honolulu, HI 96813  
Telephone: (808) 587-0099  
Fax: (808) 587-0115  
Email: [athline.m.clark@hawaii.gov](mailto:athline.m.clark@hawaii.gov)

## **IV. OBJECTIVES**

The role of the contractor will be to prepare and test an integrated and multidisciplinary recreational capacity assessment tool to be used at marine managed areas in the Main Hawaiian Islands. This tool should consider physical, biological, ecological, infrastructural, social and cultural attributes of recreational use and other site stressors. The tool should provide guidance for local planning and improve management of coral reef ecosystems in the Main Hawaiian Islands. The process will also identify information and data gaps that need to be filled to refine carrying capacity evaluation and to implement better management measures.

## **V. SCOPE OF SERVICES**

1. Prepare and submit a draft Work Plan, budget and schedule that specify the process for completing the tool within 30 days of the effective date of the contract.
2. Prepare the final Work Plan for preparation of the plan, methodology, detailed schedule and budget in close coordination with the STATE within 60 days of the effective date of contract.
3. Meet and coordinate with DAR staff in the drafting and planning of the tool development within 30 days of the effective date of contract.

4. Develop a preliminary assessment tool within 6 months of the effective date of contract, including the following:
  - a. A comprehensive literature review
  - b. Prepare a scoring matrix and weighting of the tool based on biological, social, biological and management criteria
  - c. Prepare site profiles, define site parameters, geographic scope and preliminary scoring
5. Host a workshop and convene a panel of experts to guide the tool development process, including the following:
  - a. Identify participants involved with human, biological, environmental and management assessments
  - b. Conduct regular meetings to gather feedback on the tool (minimum of 3 per year)
  - c. Refine tool based on inputs
6. Conduct the field testing of the assessment tool within 180 days of the preliminary development, including the following:
  - a. Consult with DAR and the recreation impacts steering committee to identify appropriate marine areas for field testing
  - b. Conduct field testing in selected marine area(s)
  - c. Refine tool based on field testing
7. Conduct field testing at an additional site(s) in year 2 to test for wide spread applicability using the same methodology upon the beginning of the second year of the project, including the following:
  - a. Consult with DAR and the recreational impacts to reefs steering committee to identify appropriate marine areas for field testing
  - b. Conduct field testing in selected marine areas
  - c. Refine capacity assessment tool based on field testing
  - d. Develop recommendations for use parameters within year one of the tool to guide management decision making
8. Finalize the recreational capacity assessment tool and the following within the two allotted years:
  - a. Compile results of project with tool and compendium of methods into a usable format such as a CD, new software, etc.
  - b. Allow for final review, comment or changes to the tool
  - c. Ensure tool is compatible with and useable by resource management agencies
9. Disseminate results of the assessment tool including the following:
  - a. Present results of project to local stakeholder groups at appropriate venues across the state
  - b. Present results at national conference and publish at least one article in a peer-reviewed journal

## **VI. TIME SCHEDULE**

1. All services shall be completed with 24 months of the effective date of the contract unless terminated as hereinafter provided.
2. All proposals shall submit a time schedule for the completion of all major tasks. The timeline shall include but not be limited to: description of each task, duration of each task, schedule of tasks, milestones and schedule of periodic progress reports with dates for submission.

## **VII. COMPENSATION**

1. Award will be made on a firm, fixed fee, including all taxes.
2. The proposal shall be proceed and shall include a budget in accordance with the section entitled "Project Proposal". Compensation for services provided shall not exceed \$74,000 for the first year of funding and \$60,000 for the second consecutive year. Thus, only proposals requiring funding at or below \$134,000 will be considered.
3. Payment shall be made in predetermined instalments contingent on the STATE's approval of specific deliverables or progress reports.
4. The CONTRACTOR shall be required to obtain a current tax clearance from the State of Hawaii Department of Taxation and the Internal Revenue Service prior to entering into a contract with the STATE and again to receive final payment.

## **VIII. SPECIAL PROVISIONS**

1. Special Conditions:
  - a. All work must comply with the applicable State, County, and Federal regulations, codes and guidelines.
  - b. This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS), Chapter 103D and Subchapter 3-122, HAR. All Offerors are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any Offeror shall constitute admission of such knowledge on the part of such Offeror.
  - c. The development of a recreational capacity assessment tool for the Division of Aquatic Resources, Department of Land and Natural Resources, shall be in accordance with General Conditions developed by the Attorney General's Office (Form AG-008 Rev. 11/3/2006) included by reference and available by request.
  - d. The CONTRACTOR must assure and be responsible for the continuity of service activities in the event of staff illness, medical emergencies, vacancies, or other situations that result in program resources that are less than proposed and contracted for. The CONTRACTOR must not require nor depend on the STATE's staff to provide services in the event that program resources are not available due to the above situations.
  - e. When a disagreement arises between the Offeror and the STATE in regards to the performance of specific service requirements within contract specifications, the wishes of the STATE shall prevail. Failure on the part of the CONTRACTOR to comply shall be deemed cause for corrective action and budget to contractual remedies.
  - f. DAR reserves the right to reduce, amend or expand the "Scope of Work".
  - g. Part or all of this RFP and the successful proposal may be incorporated into the final contract.
2. Required Review:

Perspective Offeror shall carefully review this solicitation for defects and questionable or objectionable matter. Questions concerning defects and questionable or objectionable matter shall be received prior to the proposal Due Date indicated under the "Significant Dates" section of the RFP.
3. Cancellation of RFP and Proposal Rejection:

The STATE reserves the right to cancel this RFP and to reject any and all proposals in whole or in part when it is determined to be in the best interest of the STATE< as provided in Section 3-122-95 through 3-122-97, HAR.

4. Proposal Opening:

Proposals shall not be opened publically, but shall be opened in the presence of two or more procurement officials. The Offeror's proposals shall be open to public inspection upon posting of award. All proposals and other material submitted by offerors become property of the State and may be returned only at the State's option.

## IX. CONTRACT REQUIREMENTS

1. HRS 237 – Tax Clearance Requirements:

Pursuant to §103S-328, HRS the chosen operator shall be required to obtain a current tax clearance certificate issued by the State of Hawaii Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) prior to entering into a contract with the State and again to receive final payment.

The certificate shall have an original green certified copy stamp, and shall be valid for six (6) months from the most recent approval stamp date on the certificate. It must be valid on the date it is received by DLNR. (Note: Tax clearances are valid for six (6) months for purposes of contract execution. If the tax clearance certificate submitted with the application is no longer valid at the time of contract execution, organization will need to acquire and submit a new certificate).

The tax clearance certificate may be obtained on the State of Hawaii, DOTAX CLEARANCE APPLICATION FORM A-6 (Rev. 2005) which is available at the DOTAX and IRS offices in the State of Hawaii of the DOTAX website, and by mail or fax:

DOTAX Website: [www.state.hi.us/tax/a1\\_1alphalist.htm](http://www.state.hi.us/tax/a1_1alphalist.htm)

DOTAX Forms by Fax: (808) 587-4242

DOTAX Forms by Mail” P.O. Box 259 Honolulu HI 96809

Completed tax clearance applications may be mailed, faxed, or submitted in person to the DOTAX, Taxpayers Services Branch, to the address listed on the application. Facsimile numbers are:

DOTAX: (808) 587-1488      IRS: (808) 539-1573

It is recommended that the “Tax Clearance Application,” Form A-6, be mailed to a DOTAX district office as soon as possible; as the process may take 21 calendar days before a tax clearance is received. The application for the clearance is the responsibility of the potential operators, and must be submitted directly to the DOTAX or IRS and not to DLNR. However the tax clearance certificate shall be submitted to DLNR directly.

2. HRS Chapters 383 (Unemployment Insurance), 386 (Worker's Compensation), 392 (Temporary Disability Insurance), and 393 (Prepaid Health Care) requirements:

Pursuant to §103D-301(c), HRS, the chosen operator shall be required to submit an approved certificate of compliance issued by the Hawaii State Department of an approved certificate of compliance issued by the Hawaii State Department of Labor and Industrial Relations (DLIR). The certificate is valid for six (6) months from the date of issue and must be valid on the date it is received by DLNR. A photocopy of the certificate is acceptable to DLNR.

The certificate of compliance shall be obtained on the State of Hawaii, DLIR APPLICATION FOR THE CERTIFICATE OF COMPLIANCE WITH SECTION 3-122-112, HAR, Form LR #27, which is available at: [www.dlir.state.hi.us/forms/ApplicationforCertificateofCompliance.pdf](http://www.dlir.state.hi.us/forms/ApplicationforCertificateofCompliance.pdf), or at the neighbour island DLIR District Office.

The application for the certificate is the responsibility of the potential operator and must be submitted directly to DLIR and not to DLNR. The DLIR will return the form to the operator who in turn shall submit the certificate to DLNR.

3. Compliance with §103D-310(c) (1) and (2), HRS:

Pursuant to section 3-122-112, HAR, the operator shall be required to submit a CERTIFICATE OF GOOD STANDING (Certificate) issued by the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division (DCCA – BREG). The Certificate is valid for six (6) months from date of issue and must be valid on the date it is received by DLNR. A photocopy of the certificate is acceptable to DLNR. To obtain the Certificate, the operator must first be registered with DCCA – BREG. A sole proprietorship, however, is not required to register with the BREG, and therefore not required to submit the certificate.

Online business registration and the Certificate are available at [www.hawaii.gov/dcca/areas/breg](http://www.hawaii.gov/dcca/areas/breg). To register or obtain the Certificate by phone, call (808) 586-2727 (M-F 7:45 to 4:30 HST). Operators are advised that there are costs associated with registering and obtaining the Certificate.

Timely Submission of all Certificates: The above certificate should be applied for and submitted to DLNR as soon as possible. If a valid certificate is not submitted on a timely basis for award of a contract, an offer otherwise responsive and responsible may not receive the award.

Final Agreement Requirements: Contractor is required to submit a valid tax clearance certificate for final payment on the contract. A tax clearance certificate, not over two months old, with an original green certified copy stamp, must accompany the invoice for final payment on the contract.

In addition to a tax clearance certificate, an original “Certification of Compliance for Final Payment” (SPO Form-22), will be required for final payment. A copy of the SPO Form-22 is available at [www.spo.hawaii.gov](http://www.spo.hawaii.gov). Select “Forms for Vendors/Contractors” from the Procurement of Goods, Service and Construction – Chapter 103D, HRS, menu.

## **X. EVALUATION OF PROPOSALS**

An evaluation committee of at least three (3) staff selected by the Division of Aquatic Resources shall evaluate the proposals. The evaluation will be based solely on the evaluation criteria set forth in this RFP.

Before the merits of each proposal are evaluated, the evaluation committee shall evaluate each proposal to determine whether it complies with, and is responsive to, the RFP description and instructions. At this stage, proposals will also be reviewed for timeliness of submission, completeness, and compliance with the requirements and qualifications specified in this document.

Proposals shall be classified initially as acceptable, potentially acceptable, or unacceptable. Discussion may be conducted with priority listed Offerors who submit proposals determined to be acceptable or potentially acceptable of being selected for award, but proposals may be accepted without such discussions.

If during discussions there is a need for any substantial clarification or change in the RFP, the RFP shall be amended by an addendum to incorporate such clarification or change. Addenda to the RFP shall be distributed only to priority listed Offerors. These Offerors shall be permitted to submit new proposals or to amend those submitted.

The date and time for the Offerors to submit their best and final offer, if necessary, will be determined and made known. If Offeror does not submit a notice of withdrawal or another best and final offer, the Offeror’s immediate previous offer will be considered as their best and final offer.

The STATE's acceptance of an offer if any will be made within ninety (90) calendar days after opening of proposals. Unless extended by mutual agreement, the Offeror's proposal shall remain firm for ninety (90) days.

## **XI. EVALUATION CRITERIA**

The evaluation committee shall evaluate proposals in accordance with the RFP and based on the following general criteria:

### **1. Minimum Criteria for Proposal Responsiveness:**

- a. Submitting incomplete proposal document or failure to sign the proposal; documents maybe justification for rejection of a proposal.
- b. Failure to respond or comply with the specifics provided in RFP or requirement provided by statutes or law may be justification for rejection of a proposal.

### **2. Proposal Evaluation Criteria**

The committee shall evaluate proposals based on the following general criteria (Total possible points shown in parentheses):

#### **a. Qualifications/Experience:**

- i. Experience in coordinating and cooperating with multiple groups including government agencies, community groups, businesses, organizations and other interested parties. (10)
- ii. Demonstrated experience in research and literature search. (10)
- iii. Significant Experience and knowledge associated with tool development, risk assessment/modeling, social science, environmental and community planning. (20)
- iv. Understanding of relevant federal and State legislations and regulations in marine resource management. (5)
- v. Familiarity with issues concerning the management and conservation of the near-shore marine resources in Hawaii. (10)
- vi. Ability to conduct project on each of the major islands in the State with knowledgeable personnel. (5)

#### **b. Proposal:**

- i. Innovative approach (5)
- ii. Efficiency of work plan timeline to develop a draft human use assessment tool. (10)
- iii. Effectiveness of work plan to incorporate various diverse inputs into study. (5)
- iv. Effectiveness of work plan to develop a final use assessment tool and deliver it to the management agency. (10)

#### **c. Price:**

- i. Appropriateness of proposed budget (10)

**TOTAL POSSIBLE POINTS: 100**

## **XII. SUBMISSION REQUIREMENTS**

1. Offer or is requested to submit its Offeror's exact legal name as registered with the Department of Commerce and Consumer Affairs (DCCA), if applicable, and to indicate exact legal name in the appropriate space on the Offer Form OF-1, Exhibit A. Failure to do so may delay proposal execution of the contract.
2. The Original plus four (4) copies (total – five (5) copies) of the proposal shall be submitted in a sealed envelope to:  
  
DLNR – Division of Aquatic Resources  
Attn: Ms. Petra MacGowan  
1151 Punchbowl St, Room 330 Honolulu, Hawaii 96813
3. Costs for developing the proposal are solely the responsibility of the Offeror, whether or not any award results from this solicitation. The State of Hawaii will not reimburse such costs.
4. "Solicitation No. RFP 07-06-CC" shall be referenced on the outside of the sealed proposals. Faxed or emailed proposals shall not be accepted.

## **XIII. PROJECT PROPOSAL**

The project proposal shall include, but not be limited to:

1. Offer Form OF-1 (Exhibit A)
2. Qualifications:
  - a. Statement of consultant's qualifications to accomplish project objectives and tasks as described in the RFP; a statement of these qualifications should be supported by a resume identifying how the consultant's qualifications meet these requirements;
  - b. A general statement identifying the consultant's specialized experience and technical competence for the services and tasks identified under "Scope of Services."
  - c. A list of key personnel who will be dedicated to this project and information on their background.
3. Scope of Work:
  - a. A detailed plan to effectively carryout the tasks described in the "Scope of Services" section of the RFP.
4. Time Schedule:
  - a. The proposal shall include a time schedule for the completion of all major tasks. The timeline shall include but not be limited to: description of each task, duration of each task, schedule of takes, milestones and schedule of periodic progress reports with dates for submission;
  - b. All services shall be completed within 24 months of the effective date of the contract unless terminated hereinafter provided.
5. Compensation:
  - a. The proposal shall be priced and include a budget for tasks proposed;
  - b. Only proposals priced at or below \$134,000 hall be considered;
  - c. The proposal shall be based on a firm fixed fee;
  - d. The proposal shall recommend a progress payment schedule based on deliverables for all tasks as they are completed. Payments shall be made on predetermined progress payments contingent on the STATE's approval of specified deliverables of progress reports;

- e. The Contractor shall be required to obtain a current tax clearance from the State of Hawaii Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) prior to entering into a contract with the State and again to receive final payment. Offerors are encouraged to immediately apply for a tax clearance, and if possible to submit their tax clearance with their proposal.

#### **XIV. CONTRACT EXECUTION**

The successful proposer shall be required to enter into a contract with the Department of Land and Natural Resources. Prior to contract execution, the Board of Land and Natural Resources must approve the final contract. After Board approval, a Notice to Proceed specifying the contract commencement date will be executed. No work is to be undertaken by the Contractor prior to the commencement date specified on the Notice to Proceed. The State is not liable for any work, contract, costs, expenses, loss of profits, or any damages whatsoever incurred by the Contractor prior to official date.

## EXHIBIT A – OFFER FORM OF-1

Department of Land and Natural Resources  
Division of Aquatic Resources  
1151 Punchbowl St, Room 330  
Honolulu, Hawaii 96813

Dear Ms. Athline Clark:

The undersigned has carefully read and understands the terms and condition specified in this Request for Proposals (Solicitation No. RFP-07-06-CC-DAR) attached hereto and in the General Conditions developed by the Attorney General's office (Form AG-008 Rev. 11/3/2006), included by reference made a part of hereof and available upon request; and hereby submits the following offer to perform the work specified herein, all in accordance with the true intent and meaning thereof. The undersigned further understands and agrees that by submitting this offer, 1) he/she is declaring his/her offer is not in violation of Chapter 84, Hawaii Revised Statutes, concerning prohibition State contracts, and 2) he/she is certifying that the information contained within the proposal is true and accurate, and 3) he/she is certifying that the price submitted was (were) independently arrived at without collusion.

The undersigned represents that it is (check one only):

☐ A Hawaii business incorporated or organized under the laws of the State of Hawaii or

☐ A compliant Non-Hawaii business not incorporated in the State of Hawaii, DCCA-BERG to do business in the State of Hawaii. State of Incorporation: \_\_\_\_\_

Offeror is:

☐ Sole Proprietor      ☐ Partnership      ☐ Corporation      ☐ Joint Venture      ☐ Other \_\_\_\_\_

Federal I.D. No.: \_\_\_\_\_

Hawaii General Excise Tax License I.D. No.: \_\_\_\_\_

Business Address (street address): \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Date: \_\_\_\_\_

Respectably Submitted:

(x) \_\_\_\_\_

Authorized (Original) Signature:

Telephone No.: \_\_\_\_\_

\* \_\_\_\_\_

Name and Title

Fax No.: \_\_\_\_\_

\_\_\_\_\_  
Exact Legal name of Company (Offeror)

Email Address: \_\_\_\_\_

\*If Offeror is a "dba" or a "division" of a corporation, furnish the exact legal name of the corporation under which the award contract will be executed.